

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

ZURICH AMERICAN INSURANCE  
COMPANY,

Plaintiff,

v.

BENSON CONSTRUCTION SERVICES, LLC,

Defendant.

Civil Action No. 3:16-cv-274(RJC)(DSC)

**ORDER GRANTING PLAINTIFF'S  
APPLICATION FOR  
FINAL JUDGMENT BY DEFAULT  
AGAINST DEFENDANT BENSON  
CONSTRUCTION SERVICES, LLC  
PURSUANT TO FRCP 55(b)(1)**

Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, default was entered against Defendant Benson Construction Services, LLC ("Defendant") for having failed to appear, retain counsel and otherwise defend this action in the time allowed by law. Now, upon application of Plaintiff Zurich American Insurance Company ("Plaintiff"), the declaration and affidavit submitted demonstrating that Plaintiff is entitled to an award of damages in the principal amount of \$201,927.74 against Defendant and that Defendant is not an infant, an incompetent person or in the military service of the United States,

It is hereby ORDERED, ADJUDGED AND DECREED that:

1. Plaintiff's application for final judgment by default against Defendant pursuant to FRCP 55(b)(1) is GRANTED in its entirety; and
2. Plaintiff is hereby awarded damages against Defendant in the principal sum certain amount of \$201,927.74.

Signed: July 12, 2016

  
Frank G. Johns, Clerk  
United States District Court

